



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

ROCKEY, Don C.

Atty. Ref.: 1579-836; Confirmation No. 8031

Appl. No. 10/611,432

TC/A.U. 1635

Filed: July 2, 2003

Examiner: Whiteman, B.A.

For: A METHOD OF TREATING PORTAL HYPERTENSION

* * * * *

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

DECLARATION

I, Don C. Rockey, do hereby declare and state as follows.

1. I am the sole inventor of the subject matter claimed in the above application.

2. I am a co-author, together with Qing Yu, Rong Shao, Hushang Quang and Samuel E. George, of a publication entitled: "Adenovirus Mediated Gene Transfer Of Neuronal Nitric Oxide Synthase In Cirrhotic Liver Ameliorates Portal Hypertension", Hepatology 30:631 (Oct. 1999) (hereinafter "the Publication").

3. To the extent that the Publication discloses or would have suggested the invention claimed in the above-identified application, that invention is my own. While

1089989

Best Available Copy

Qing Yu, Rong Shao, Hushang Quang and Samuel E. George made contributions to the subject matter of the Publication that merited their being named as co-authors, these individuals did not contribute to the conception of the invention claimed in the above-identified application, as will be clear from the comments that follow:

Qing Yu was a postdoctorate fellow in my laboratory who carried out the studies described in the Publication at my direction and under my supervision.

Rong Shao was named as a co-author on the Publication as a matter of scientific courtesy.

Hushang Quang was working in the laboratory of Samuel E. George and provided technical assistance with certain aspects of experiments described in the Publication.

Samuel E. George was named on the Publication as he provided the vector used in the study described.

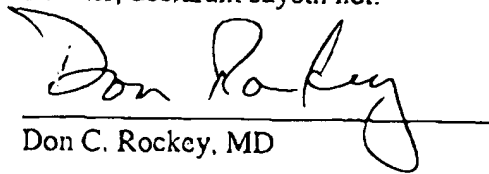
4. It will be clear from the details presented in paragraph 3 above that, while co-authors Yu, Shao, Quang and George made certain contributions to studies reported in the Publication, they did not contribute to the conception of the invention claimed in the above-identified application.

I hereby declare that all statements made herein of my own knowledge are true and that statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the

ROCKEY, Don C.
Appl. No. 10/611,432

validity of the application or any patent issued thereon.

Further, declarant sayeth not.


Don C. Rockey, MD


Date